

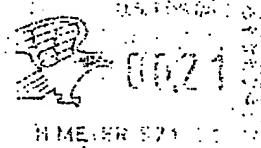
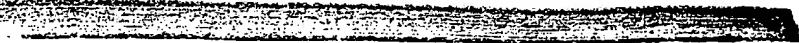
Serial N : 09/966,982 Filing Date: 09/27/01
Client: AgraQuest

Serial No.: 09/966,982 Filing Date: 09/27/01
Client: AgraQuest
Title: NOVEL STRAIN OF STREPTOMYCES FOR CONTROLLING PLANT DISEASES
Docket No.: AQ 2018.20/Billing No 23893-7180 Atty. Initials: CMG:nlh
Mailed: December 21, 2001 Docket Due Date: _____

The Following Was Received In The U.S. Patent And Trademark Office On The Date Stamped Hereon:

- Return Receipt Postcard
- Recordation Cover Sheet (2 pgs)
- Executed Assignment (by Lehman, Yuan, Manker, Orjala, Marrone, Santamaria) (2 pgs)

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Ms. Edwina Fenili
Patent-Trademark Administrator/Docketer
McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center
Suite 1800
San Francisco, CA 94111-4067

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RECORDATION FORM COVER SHEET
PATENTS ONLYPatent and Trademark Office
Docket No. AQ 2018.20

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lori Jo LEHMAN
 Caiyao YUAN
 Denise Carol MANKER

- | | |
|---|--|
| <input checked="" type="checkbox"/> Individual(s) | <input type="checkbox"/> Association |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation-State | <input type="checkbox"/> Other |

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other: | |

Execution Date:

2. Name and address of receiving party(ies):

Name: AgraQuest, Inc.
 Address: 1530 Drew Avenue
 City: Davis
 Zip Code: 95616 State: California

4. Application number(s) or patent number(s): 09/966,982

If this document is being filed with a new application, the execution date of the application is:

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? Yes No

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5. Name and address of party to whom correspondence concerning document should be mailed:

Antoinette F. Konski
 McCutchen Doyle Brown & Enersen LLP
 Three Embarcadero, Suite 1800
 San Francisco, CA 94111-4067

6. Total number of applications and patents involved: *1

7. Total fee (37 C.F.R. § 3.41): \$40.00

- | |
|---|
| <input type="checkbox"/> Enclosed |
| <input checked="" type="checkbox"/> Authorized to be charged to deposit account, referencing Billing No. 23893-7180 |

8. Deposit account number: 50-1189

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 50-1189

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Carol M. Gruppi
 Registration No. 37,341

Signature

Date: December 21, 2001

Total number of pages comprising cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
 Office of Public Records
 Box Assignments
 Washington, D.C. 20231

Additional names of conveying parties:

Jimmy Ensio ORJALA
Pamela Gail MARRONE
Jorge Isaac Jimenez SANTAMARIA

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ASSIGNMENT (JOINT)

THIS ASSIGNMENT, by Lori Jo Lehman, Randy Jay McCoy, Cai-yao Yuan, Denise Carol Manker, Jimmy Ensio Orjala, Pamela Gail Marrone and Jorge Isaac Jimenez Santamaria (hereinafter referred to as the assignors), residing at 1218 Las Encinas Court, Vacaville, CA 95687, 3212 Breton Avenue, Davis, CA 95616, 1213 Chestnut Lane, Davis, CA 95616, 3037 Prado Lane, Davis, CA 95616, 2905 Lillard Drive, Davis, CA 95616, 3333 Victoria Place, Davis, CA 95616 and 2326 V Street, Apt. #4, Sacramento, CA 95818, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in Novel Strain Of Streptomyces For Controlling Plant Diseases, set forth in a patent application for the United States, bearing Application No. 09/966,982, filed on September 27, 2001; and

WHEREAS, AgraQuest, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 1530 Drew Avenue, Davis, California 95616 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application and any applications for Letters Patent which claim priority of the above-mentioned application under 35 U.S.C. § 119(e), alone or in combination with 35 § U.S.C. 120 (hereinafter collectively referred to as an application for "Letters Patent") of the United States;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the joint and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said applications for Letters Patent and any patents to be obtained thereon, granted thereon is lawful and desirable, sign all papers and documents,

take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner for Patents to issue said applications for Letters Patent and patents granted thereon of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

11-29-01

Date

Lori Jo Lehman

Name: Lori Jo Lehman

Date

Name: Randy Jay McCoy

Nov. 29. 2001

Date

Caiyao Yuan

Name: Caiyao Yuan

Nov. 29. 2001

Date

Denise Carol Mank

Name: Denise Carol Manker

Nov. 29, 2001

Date

Jimmy E. Orjala

Name: Jimmy Ensio Orjala

Nov. 29, 2001

Date

Pamela Gail Marrone

Name: Pamela Gail Marrone

Date

11/29/2001

Jorge Isaac Jimenez Santamaria

Serial No. 09/996,982
Docket No. AQ 2018.20
AQ Ref.: 4800CIP